

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ALEXIS AVILA GONZALES,

Plaintiff,

v.

DOER, *et al.*,

Defendants.

Case No.: 1:24-cv-01558-BAM (PC)

**ORDER TO SUBMIT PRISONER
APPLICATION TO PROCEED *IN FORMA
PAUPERIS* OR PAY FILING FEE WITHIN
THIRTY (30) DAYS**

Plaintiff Alexis Avila Gonzales (“Plaintiff”) is a federal prisoner proceeding *pro se* in this civil rights action pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) and the Federal Tort Claims Act (“FTCA”), 28 U.S.C. § 1346(b). Plaintiff initiated this action on December 18, 2024, together with a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 2.)

Plaintiff’s application to proceed *in forma pauperis* is incomplete. Plaintiff stated that he received money from “Any other sources” over the last twelve months, but failed to describe the source of money, state the amount received, or what he expects he will continue to receive, as directed by the application. (ECF No. 2.) In addition, while the certificate portion of the application was completed by a staff member of Plaintiff’s institution, Plaintiff failed to attach a

1 certified copy of his trust account statement showing transactions for the past six months.

2 As the evidence before the Court of Plaintiff's assets is inconclusive, the Court will
3 provide Plaintiff with an opportunity to clarify his financial condition and adequately demonstrate
4 financial hardship. Specifically, Plaintiff should explain the "other sources" from which he has
5 received money over the last twelve months and describe the source of money, the amount
6 received, and what he expects he will continue to receive from the source(s). Plaintiff should also
7 submit a certified copy of his inmate trust account statement.

8 Accordingly, IT IS HEREBY ORDERED as follows:

- 9 1. The Clerk of the Court is directed to serve this order and a blank *in forma pauperis*
10 application for a prisoner on Plaintiff;
- 11 2. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file the
12 attached application to proceed *in forma pauperis*, completed and signed, together with a
13 certified copy of his inmate trust account statement for the last six months, or in the
14 alternative, pay the \$405.00 filing fee for this action;
- 15 3. No extension of time will be granted without a showing of good cause; and
- 16 4. **Plaintiff is warned that the failure to comply with this order will result in dismissal**
17 **of this action, without prejudice.**

18 IT IS SO ORDERED.
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20 Dated: December 18, 2024

21 /s/ Barbara A. McAuliffe
22 UNITED STATES MAGISTRATE JUDGE
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